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RUEHAO/AMCONSUL CURACAO PRIORITY 0308
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C O N F I D E N T I A L THE HAGUE 000094

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STATE FOR EUR/WE, WHA/AND, PM/SNA

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TAGS: [PREL](#) [PARM](#) [MARR](#) [MOPS](#) [XL](#) [NT](#) [VE](#) [NL](#)

SUBJECT: NETHERLANDS: STATUS OF FORCES AGREEMENT UPDATE

REF: A. 07 STATE 85118

[B](#). 07 THE HAGUE 1220

[C](#). 07 STATE 149873

[D](#). 11/28/07 DETEMPLE-GRUBB E-MAIL

[E](#). 07 THE HAGUE 1990

Classified By: CDA Michael Gallagher, reasons 1.4 (b,d)

[1](#). (C) Summary: The GONL and the Government of the Netherlands Antilles have concluded a draft long-term status of forces agreement (SOFA) based closely on the 1954 U.S.-Netherlands agreement relating to the stationing of U.S. armed forces in the Netherlands. According to Dutch MFA Legal Counsel Carl Peersman, the GONL will pass this draft agreement to the USG as soon as possible. Peersman also proposed U.S., Dutch, and Dutch Antillean delegations meet in Curacao in early March 2008 to negotiate the long-term agreement. Given the limited time between these proposed discussions in March and the expiration of the current one-year SOFA in May 2008, he recommended initiating work on an additional one-year extension. Peersman discussed these issues with polmiloff on January 31. End summary.

[2](#). (C) Peersman said he expected to receive in the "next day or so" a draft counter agreement reached between the GONL and the Government of the Antilles in response to the USG draft long-term SOFA, and will pass this draft agreement to us "as soon as possible". (Note: Post will forward the draft agreement via e-mail to PM/SNA and EUR/WE upon receipt. End note.) Peersman had not yet seen the draft agreement reached by the Dutch and Dutch Antilleans, but understood it was based closely on the 1954 U.S.-Netherlands agreement relating to the stationing of U.S. armed forces in the Netherlands, which attempts to fill some of the gaps raised by the 1951 NATO SOFA. Peersman acknowledged that the USG might view this as "a step backward," especially given the updated USG draft SOFA submitted in refs A and B.

[3](#). (C) In response to refs C and D proposing further negotiations, Peersman noted that the Government of the Antilles had limited resources to negotiate the SOFA. As a result, he said the GONL and the Government of the Antilles propose negotiations take place in Curacao -- vice The Hague -- during the first week of March 2008. He welcomed Washington's response to this proposal.

[4](#). (C) Peersman said that even if the negotiations in March are short and successful, he doubted there would be sufficient time to pass the new long-term agreement through the Dutch government and parliament prior to the expiration of the current one-year SOFA in May 2008. As such, he recommended working with Washington now so that an extension

be in place by May.

15. (C) Peersman acknowledged the high priority the USG attaches to the long-term SOFA, as indicated by efforts in ref E, and additionally by Ambassador Arnall in his January 15 meeting with Defense Minister van Middelkoop, and CDA Gallagher in his January 18 meeting with MFA Director of Western Hemisphere Affairs Stokvis. Peersman apologized for the delay in response to our draft long-term SOFA, noting that it has been difficult to get the Government of the Dutch Antilles to focus on the SOFA -- this "was not an excuse, merely an explanation," he said.
Gallagher